

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JAMES H. DILLINGHAM, III,
Plaintiff,

v.

ANN VANCE, et al,
Defendant(s).

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Civil Action No. 7:15-cv-00187

MEMORANDUM OPINION

By: Norman K. Moon
United States District Judge

James H. Dillingham, III, proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983. By Order entered April 21, 2015, the court directed plaintiff to submit within 10 days from the date of the Order an executed Verified Statement form and accompanying documentation demonstrating that plaintiff has either exhausted the available remedies as to each of the claims raised in the complaint, or plaintiff must document that such remedies do not exist at the present place of confinement or are not available to plaintiff at the present time. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 13th day of May, 2015.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE